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Fifth Committee

Summary record of the 39th meeting
Held at Headquarters, New York, on Friday, 27 March 2009, at 10.20 p.m.

Chairman: Mr. Bródi ..... (Hungary)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Ms. McLurg

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Questions deferred for future consideration

Closure of the work of the Fifth Committee during the first part of the resumed sixty-third session of the General Assembly

The meeting was called to order at 10.20 p.m.

Agenda item 117: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Accountability framework, enterprise risk management and internal control framework, and results-based management framework (A/C.5/63/L.39)

Draft resolution A/C.5/63/L.39: Accountability framework, enterprise risk management and internal control framework, and results-based management framework

1. *Draft resolution A/C.5/63/L.39 was adopted.*

Agenda item 118: Programme budget for the biennium 2008-2009 (*continued*)

Special subjects relating to the programme budget for the biennium 2008-2009 (A/C.5/63/L.32)

Draft resolution A/C.5/63/L.32: Special subjects relating to the programme budget for the biennium 2008-2009

2. *Draft resolution A/C.5/63/L.32 was adopted.*

Information and communications technology, disaster recovery and business continuity for the United Nations: arrangements for the secondary data centre at Headquarters (A/C.5/63/L.33)

Draft resolution A/C.5/63/L.33: Information and communications technology, disaster recovery and business continuity for the United Nations: arrangements for the secondary data centre at Headquarters

3. *Draft resolution A/C.5/63/L.33 was adopted.*

Capital master plan (A/C.5/63/L.34)

Draft resolution A/C.5/63/L.34: Capital master plan

4. *Draft resolution A/C.5/63/L.34 was adopted.*

Agenda item 123: Human resources management (*continued*)

Draft resolution A/C.5/63/L.35: Amendments to the Staff Regulations

5. *Draft resolution A/C.5/63/L.35 was adopted.*

Agenda item 124: Joint Inspection Unit (*continued*) (A/C.5/63/L.36)

Draft resolution A/C.5/63/L.36: Report of the Joint Inspection Unit for 2008 and programme of work for 2009

6. *Draft resolution A/C.5/63/L.36 was adopted.*

Agenda item 139: Financing of the United Nations Mission in Ethiopia and Eritrea (*continued*) (A/C.5/63/L.31)

Draft decision A/C.5/63/L.31: Financing of the United Nations Mission in Ethiopia and Eritrea

7. *Draft decision A/C.5/63/L.31 was adopted.*

Agenda item 146: Financing of the United Nations Mission in the Sudan (*continued*) (A/C.5/63/L.37)

Draft resolution A/C.5/63/L.37: Financing of the United Nations Mission in the Sudan

8. *Draft resolution A/C.5/63/L.37 was adopted.*

Agenda item 149: Financing of the United Nations Mission in the Central African Republic and Chad (*continued*) (A/C.5/63/L.40)

Draft resolution A/C.5/63/L.40: Financing of the United Nations Mission in the Central African Republic and Chad

9. *Draft resolution A/C.5/63/L.40 was adopted.*

Agenda item 157: Financing of activities arising from Security Council resolution 1863 (2009) (*continued*) (A/C.5/63/L.38)

Draft resolution A/C.5/63/L.38: Financing of activities arising from Security Council resolution 1863 (2009)

10. *Draft resolution A/C.5/63/L.38 was adopted.*

11. **Ms. Vendat** (Director, Peacekeeping Financing Division) said that the authorization granted to the Secretary-General to enter into commitments not exceeding $77,790,900 would be sufficient to meet requirements for the provision of support to the African Union Mission in Somalia, as requested by the Security Council in its resolution 1863 (2009).

Agenda item 117: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Questions deferred for future consideration (A/C.5/63/L.41)

Draft decision A/C.5/63/L.41: Questions deferred for future consideration

12. *Draft decision A/C.5/63/L.41 was adopted.*

Closure of the work of the Fifth Committee during the first part of the resumed sixty-third session of the General Assembly

13. **Ms. Krahulcová** (Czech Republic), speaking on behalf of the European Union, the candidate countries Croatia and the former Yugoslav Republic of Macedonia; the stabilization and association process countries Albania and Montenegro; and, in addition, Armenia and Ukraine, said that, while the Committee had been able to reach agreement on a number of important matters at the first part of the resumed session, it had had difficulty devoting equal attention to all of them and had been forced to postpone its consideration of some because the relevant documentation had not been issued on time and in all the official languages. The European Union particularly regretted that there had been no time for discussion of safety and security, of the report of the Independent Audit Advisory Committee on vacant posts in the Office of Internal Oversight Services and of the scale of assessments.

14. She recalled that the Chairman had very recently informed the Committee of his receipt of a letter dated 25 March 2009 from the President of the General Assembly transmitting a letter dated 5 March 2009 from the President of the Human Rights Council. The letter described the critical financial situation of that body and the consequent threat to the progress of the Universal Periodic Review. The European Union wished to know the reason for the delay in the transmission of that information. It remained committed to providing funds to enable the Human Rights Council to implement its mandate properly and believed that it was the responsibility of the Secretary-General to respond adequately to the needs expressed in the letter.

15. **Mr. Abdelmannan** (Sudan), speaking on behalf of the Group of 77 and China, said that the Group wished to reiterate that the Secretary-General and the Secretariat should manage the financial affairs of the Organization in a manner fully consistent with its financial rules and regulations.

16. With regard to the letter to the Chairman from the President of the General Assembly, the Group's understanding was that the Chairman intended to consult the Bureau and delegations, as the Committee had not yet given the Secretary-General authorization to make any appropriations consequent on the content of the letter.

17. **Mr. Gürber** (Switzerland) said that his delegation had been surprised and concerned to learn that it had taken 20 days to transmit to the Chairman of the Fifth Committee the letter which the President of the General Assembly had received from the President of the Human Rights Council. His delegation requested the Chairman, when he replied to the President of the General Assembly, to communicate that view and to request an explanation for the delay.

18. His delegation also wished the Chairman to convey its belief that the Secretary-General was responsible for ensuring adequate support for activities mandated by the General Assembly. The Universal Periodic Review fell into that category, having been instituted by a resolution of the Human Rights Council subsequently endorsed by the General Assembly. Accordingly, and in view of the need for the Division of Conference Management at the United Nations Office at Geneva to be provided rapidly with additional funding, his delegation would closely monitor the pattern of expenditure under Section 2, General Assembly and Economic and Social Council affairs and conference management, of the regular budget.

19. It would also be appropriate for the Chairman's reply to the President of the General Assembly to emphasize that the next session of the Universal Periodic Review was expected to take place as early as May 2009. In order to strengthen the Member States' confidence in the Secretariat's internal financial management in that regard, his delegation suggested that the Secretary-General should inform the Fifth Committee, at the second part of the current resumed session, of the steps taken to remedy the situation and ensure that the sessions of the Universal Periodic Review planned for 2009 could take place as scheduled. In addition, his delegation expected the proposed programme budget for 2010-2011 to contain

all the resources required by the Human Rights Council and its working groups to fulfil their mandates fully during that biennium.

20. **The Chairman** said that he would consult all delegations and groups of delegations before replying to the letter of the President of the General Assembly, as he wished to convey a message which enjoyed the full support of the Committee.

21. **Mr. Rosales Diaz** (Nicaragua) said that his delegation endorsed the approach proposed by the Chairman. However, it was surprised at the inferences made by the representative of Switzerland and wished to refute them, as the President of the General Assembly was known to attach great importance to the work of the Human Rights Council.

22. **Mr. Cumberbatch** (Cuba) said that his delegation wished to echo the views expressed by the representative of Nicaragua regarding the support of the President of the General Assembly for the work of the Human Rights Council. Cuba held the Council in high regard and had itself been included in the Universal Periodic Review process. However, as it was opposed to any attack on the office of the President of the General Assembly, his delegation did not wish the Fifth Committee to send any message that adopted such a tone; it should instead reach agreement on its response, as the Chairman had suggested.

23. **The Chairman** informed the Committee of the Bureau's decision to propose that the issue of safety and security should be discussed at the very beginning of the second part of the resumed sixty-third session in May 2009. In addition, in recent consultations with the Chairman of the Advisory Committee regarding the availability of documentation for the second part of the resumed session, the Bureau had learned that the Advisory Committee's existing workload, the volume of the expected reports of the Secretary-General and the timing of their submission precluded the timely provision of Advisory Committee reports. As the Committee therefore risked being unable to complete its work within the dates established, the Bureau proposed to approach the President of the General Assembly with a view to finding a framework for completing the Committee's business as scheduled.

24. He declared the work of the Fifth Committee at the first part of the resumed sixty-third session of the General Assembly closed.

The meeting rose at 11 p.m.